

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

v.

DANIEL BERCYK,

Defendant.

Case No. 20-CR-88-10-JPS

ORDER

On June 16, 2020, the grand jury returned an indictment, charging Defendant with violating 21 U.S.C. §§ 841(a)(1), 841(b)(1)(B), 846, and 18 U.S.C. § 2. (Docket #1). On October 12, 2021, the Government filed a one-count information, charging Defendant with violating 21 U.S.C. § 843(b). (Docket #230). On October 11, 2021, the parties filed a plea agreement, indicating that Defendant has agreed to plead guilty to Count One in the Information. (Docket #229).

The parties appeared before Magistrate Judge William E. Duffin on October 22, 2021 to conduct a plea colloquy pursuant to Federal Rule of Criminal Procedure 11. (Docket #237). Defendant entered a plea of guilty as to Count One of the Information. (*Id.*) After cautioning and examining Defendant under oath concerning each of the subjects mentioned in Rule 11, Magistrate Judge Duffin determined that the guilty plea was knowing and voluntary, and that the offenses charged were supported by an independent factual basis containing each of the essential elements of the offenses. (*Id.*)

On October 22, 2021, Magistrate Judge Duffin filed a Report and Recommendation with this Court, recommending that: (1) Defendant's plea

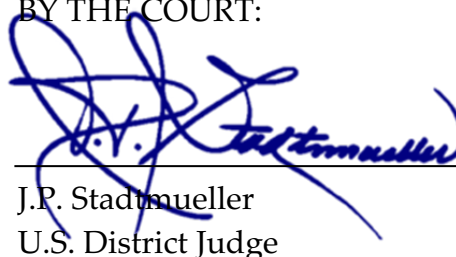
of guilty be accepted; (2) a presentence investigation report be prepared; and (3) Defendant be adjudicated guilty and have a sentence imposed accordingly. (*Id.*). Pursuant to General Local Rule 72(c), 28 U.S.C. § 636(b)(1)(B), and Federal Rule of Criminal Procedure 59(b), the parties were advised that written objections to that recommendation, or any part thereof, could be filed within fourteen days of the date of service of the recommendation. (*Id.*) To date, no party has filed such an objection. The Court has considered Magistrate Judge Duffin's recommendation and, having received no objection thereto, will adopt it.

Accordingly,

IT IS ORDERED that Magistrate Judge William E. Duffin's Report and Recommendation (Docket #237) be and the same is hereby **ADOPTED**.

Dated at Milwaukee, Wisconsin, this 16th day of November, 2021.

BY THE COURT:



J.P. Stadtmueller
U.S. District Judge